IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY THE EIGHTY DAY OF DECEMBER TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE SRI JUSTICE M.NARAYANA REDDY

WRIT PETITION NO : 2606 of 2002

Between:

C.P.Sarathy, Senior Advocate
Practicing in the High Court of A.P. "NISHIGANDHA" (Near CRPF Office),
H.No.6-1-103/20, New No.183 Abhinavnagar, Padmaraonagar, Sec'bad

..... PETITIONER

AND

The Registrar Management
High Court of A.P. Hyderabad

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order, direction, or a writ, more particularly one in the nature of writ of mandamus calling for the

records and remarks from the respondent herein, connected to sale and smoking cigarettes in the entire premises of the High Court and within its compound and to ban the same with immediate effect and to pass such other order

Counsel for the Petitioner: PETITION

Counsel for the Respondent No.: MR.C.V.NAGARJUNA REDDY

The Court made the following :

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

O R D E R

(per the Hon'ble Sri Devinder Gupta, the Chief Justice)

This petition was treated as taken up petition, when Sri C.P.Sarathy, Senior Advocate of the High Court of A.P. sent letter dated 4.2.2002 submitting that the Supreme Court in MURLI S.DEORAI vs. UNION OF INDIA AND OTHERS has banned smoking in public places and issued directions to the States to take effective steps to ensure prohibiting smoking in public places. He wanted that similar steps be

taken in the High Court of A.P.

The Senior Advocate in his letter also submitted that in spite of display of signs showing 'no smoking' and 'use of cell phones and pagers prohibited', most of the Advocates and litigant public coming to the High Court are not paying any heed to such notices and carrying on smoking and using cell phones in the corridors of the High court. Therefore, he prayed that appropriate directions in that regard be issued.

We are informed that insofar as smoking is concerned, when this petition was taken up and rule nisi was issued, the President of A. P. High Court Bar Association was present in Court and the Bench requested him to inform all the Members of the Association not to smoke inside the premises of the High Court. Direction was also issued to the Registrar to issue circular to all the Sections of the High Court to the said effect. Stall holders who were temporarily permitted to hold stalls inside the premises of the High Court were also directed not to sell cigarettes or beedies or cigars inside the High Court premises. Number of senior lawyers and junior lawyers were present in court and they only assured that they would not smoke inside the High Court. Petition was kept pending.

Use of cell phones in courts, affects the judicial proceedings and it is but appropriate at least for the members of legal fraternity, that in case it is absolutely necessary for them to carry cell phones with them, the same, while entering the High Court be kept in 'silent mode', so that ring tone of the cell phones should not cause any interference with the functioning of the Court.

With these observations, we close the writ petition and direct that copy of this order be sent to the President of the

A. P. High Court Bar Association. No costs.

DATE:08.12.2004

AVS/TVR ----------

DEVINDER GUPTA, CJ

M.NARAYANA REDDY, J

To

1. The Registrar (Management)
High Court of A.P. Hyderabad

2. The President of A.P. High Court Bar Association.

3. Two C.D. copies.